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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/033,986 | 01/03/2002 | Cheng-Ju Chen | 3313-0454P-SP | 9147 |
| 2292 | 7590 | 12/02/2004 | EXAMINER | |
| BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 | | | SHERR, CRISTINA O | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3621 | |

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/033,986

Applicant(s)

CHEN ET AL.

Examiner

Cristina Owen Sherr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to the application filed 3 January 2002.

Claims 1-17 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ginter et al (US 5,892,900) in view of Clark (US 5,815,577).

4. Regarding claim 1 –

Ginter discloses a management method for decentralized productions and centralized materials distribution relates to a method that employs to proceed the operation of materials distribution to pre-defined facilities for productions through an Enterprise Resource Planning (ERP) server of an enterprise end on the material management system in the manufacturing industry. The Enterprise Resource Planning (ERP) server is linked to an information intermediary through a network backbone for transferring updated information to a supplier end to complete timely material delivery. The disclosed method at least includes the following steps Receiving at least one bill of material (BOM) through the Enterprise Resource Planning (ERP) server; Integrating the bill of material (BOM) through the Enterprise Resource Planning (ERP) server and Transferring data to the supplier through a specified data transmission format and

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method; and Delivering materials as contracted by the supplier (e.g. col 2 ln 20-col 3 ln 15).

Clark discloses, as Ginter does not, distributing materials to specified facilities through the Enterprise Resource Planning (ERP) server and Purchasing materials through the material requirements planning server (e.g. col 2 ln 25 – col 3 ln 10).

5. Regarding claim 2 –

Clark discloses the invention as recited in claim 1, wherein the specified facilities are categorized based on production requirements of different product prototypes to execute work orders received by the enterprise end (e.g. col 2 ln 30-45).

6. Regarding claim 3 –

Ginter discloses the invention as recited in claim 1, wherein a network backbone is to link up the enterprise end, the suppliers and the information intermediary to proceed data transmission (e.g. col 2 ln 20-30).

7. Regarding claim 4 –

Clark discloses the invention as recited in claim 1, wherein the steps of integrating the bill of material (BOM) through the Enterprise Resource Planning (ERP) server relate to a method of exploding bills of material (BOM), which method further includes the following steps, Exploding all bills of material (BOM) of respective prototypes, Stratifying all the bills of material (BOM), according to assemble features of respective prototypes. Combining and exploding components or parts at each level from all integrated 10 bills of material (BOM) (e.g. col 4 ln 5-45).

8. Regarding claim 5 –

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Clark discloses the invention as recited in claim 1, wherein the operation of distributing materials to specified facilities will be processed after at least one bill of material (BOM) is analyzed and categorized by the Enterprise Resource Planning (ERP) server (e.g. col 4 ln 20-35).

9. Regarding claim 6 –

Clark discloses the invention as recited in claim 5, wherein specified facilities at least comprise a specific materials facility, a common materials facility, and a obsolescent stock facility (e.g. col 4 ln 5-45).

10. Regarding claim 7 –

Clark discloses the invention as recited in claim 6, wherein the specific materials facility is to utilize particular materials for productions, and is manufacturing corresponding specified components or parts needed (e.g. col 4 ln 5-45).

11. Regarding claim 8 –

Clark discloses the invention as recited in claim 7, wherein the specific materials relate to particular components or parts needed for respective prototypes, among which there are no components and parts overlapped in common (e.g. col 4 ln 30-45).

12. Regarding claim 9 –

Clark discloses the invention as recited in claim 6, wherein the common materials facility is to manage general materials for distributions and deliver common components or parts to required factories/manufactories (e.g. col 5 ln 1-25).

12. Regarding claim 10 –

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Clark discloses the invention as recited in claim 9, wherein the common materials relate to general components or parts needed at least for two prototypes and above, and are evaluated by preset column through the Enterprise Resource Planning (ERP) server (e.g. col 5 ln 10-30).

13. Regarding claim 11 –

Clark discloses the invention as recited in claim 6, wherein the obsolescent stock facility is to manage materials of out-of-date, and to centrally process claim to a buyer who had placed the order (e.g. col 5 ln 40-55).

14. Regarding claim 12 –

Clark discloses the invention as recited in claim 11, wherein those obsolescent stocks relate to materials at the expiry of the life cycle, and are disposed of according to the enterprise rules (e.g. col 5 ln 40-55).

15. Regarding claim 13 –

Clark discloses the invention as recited in claim 1, wherein a specified data transmission format and method further includes the following steps, establishing a data on an enterprise end; transferring the data to an information intermediary through a network backbone by the enterprise end; transferring the data to a destination through a global information network by the information intermediary; and receiving/sending information at the destination by using a browser from the supplier (e.g. col 5 ln 40-55).

16. Regarding claim 14 –

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Clark discloses the invention as recited in claim 1, wherein the step that the enterprise end transfers data to the information intermediary further transfers data format through a data transfer split (e.g. col 5 ln 45-60).

17. Regarding claim 15 –

Clark discloses the invention as recited in claim 1, wherein the data transfer split is utilizing the configure to order (CTO) concept to complete data transmission on the network with customized fields and formats established based on different requirements of suppliers (e.g. col 5 ln 60-65).

18. Regarding claim 16 –

Clark discloses the invention as recited in claim 13, wherein the destination end relates to a platform provided by the information intermediary to store data from the supplier end and from the enterprise end (e.g. col 5 ln 60-65).

19. Regarding claim 17 –

Clark discloses the invention as recited in claim 1, wherein the material requirements planning server is provided by Enterprise Resource Planning (ERP) server to determine capability of product orders by a buyer/client, and place purchase order to the supplier based on determined capability for purchasing (e.g. col 5 ln 45-60).

20. It would be obvious to one of ordinary skill in the art to combine the teachings of Ginter and Clark in order to manage decentralized productions and centralized material distribution with greater security and more economically.

Conclusion

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21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 703-305-0625. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

23. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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